

STATE OF SOUTH CAROLINA

In The Matter of

Application of Duke Energy Carolinas, LLC for
Approval of Decision to Incur Nuclear Generation
Pre-Construction Costs

BEFORE THE
PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA

COVER SHEET

DOCKET
NUMBER: 2007-440-E

(Please type or print)

Submitted by: Bonnie D. ShealySC Bar Number: 11185

Address: Robinson, McFadden & Moore, P.C.
P.O. Box 944
Columbia, SC 29202

Telephone: (803) 779-8900Fax: (803) 252-0724

Other: _____

Email: bshealy@robinsonlaw.com

NOTE: The cover sheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for use by the Public Service Commission of South Carolina for the purpose of docketing and must be filled out completely.

DOCKETING INFORMATION (Check all that apply)

☐ Emergency Relief demanded in petition ☐ Request for item to be placed on Commission's Agenda expeditiously

☐ Other: _____

INDUSTRY (Check one)	NATURE OF ACTION (Check all that apply)		
<input checked="" type="checkbox"/> Electric	<input type="checkbox"/> Affidavit	<input type="checkbox"/> Letter	<input type="checkbox"/> Request
<input type="checkbox"/> Electric/Gas	<input type="checkbox"/> Agreement	<input type="checkbox"/> Memorandum	<input type="checkbox"/> Request for Certificatio
<input type="checkbox"/> Electric/Telecommunications	<input type="checkbox"/> Answer	<input checked="" type="checkbox"/> Motion	<input type="checkbox"/> Request for Investigation
<input type="checkbox"/> Electric/Water	<input type="checkbox"/> Appellate Review	<input type="checkbox"/> Objection	<input type="checkbox"/> Resale Agreement
<input type="checkbox"/> Electric/Water/Telecom.	<input type="checkbox"/> Application	<input type="checkbox"/> Petition	<input type="checkbox"/> Resale Amendment
<input type="checkbox"/> Electric/Water/Sewer	<input type="checkbox"/> Brief	<input type="checkbox"/> Petition for Reconsideration	<input type="checkbox"/> Reservation Letter
<input type="checkbox"/> Gas	<input type="checkbox"/> Certificate	<input type="checkbox"/> Petition for Rulemaking	<input type="checkbox"/> Response
<input type="checkbox"/> Railroad	<input type="checkbox"/> Comments	<input type="checkbox"/> Petition for Rule to Show Cause	<input type="checkbox"/> Response to Discovery
<input type="checkbox"/> Sewer	<input type="checkbox"/> Complaint	<input type="checkbox"/> Petition to Intervene	<input type="checkbox"/> Return to Petition
<input type="checkbox"/> Telecommunications	<input type="checkbox"/> Consent Order	<input type="checkbox"/> Petition to Intervene Out of Time	<input type="checkbox"/> Stipulation
<input type="checkbox"/> Transportation	<input type="checkbox"/> Discovery	<input type="checkbox"/> Prefiled Testimony	<input type="checkbox"/> Subpoena
<input type="checkbox"/> Water	<input type="checkbox"/> Exhibit	<input type="checkbox"/> Promotion	<input type="checkbox"/> Tariff
<input type="checkbox"/> Water/Sewer	<input type="checkbox"/> Expedited Consideration	<input type="checkbox"/> Proposed Order	<input type="checkbox"/> Other:
<input type="checkbox"/> Administrative Matter	<input type="checkbox"/> Interconnection Agreement	<input type="checkbox"/> Protest	
<input type="checkbox"/> Other:	<input type="checkbox"/> Interconnection Amendment	<input type="checkbox"/> Publisher's Affidavit	
	<input type="checkbox"/> Late-Filed Exhibit	<input type="checkbox"/> Report	

**BEFORE
THE PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA
DOCKET NO. 2007-440-E**

In Re:)	
)	
Application of Duke Energy Carolinas, LLC)	
For Approval of Decision to Incur Nuclear)	MOTION FOR ADMISSION
Generation Pre-Construction Costs)	<i>Pro Hac Vice</i>
)	
)	

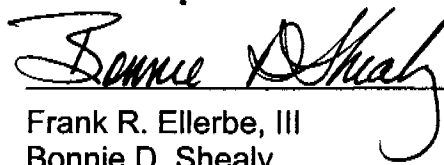
Duke Energy Carolinas, LLC, ("Duke Energy Carolinas") hereby moves the Public Service Commission of South Carolina ("Commission") to permit Lawrence Bowen Somers to practice *Pro Hac Vice* before the Commission in the above-captioned matter.

Pursuant to SCACR 404, Mr. Somers, together with counsel of record, are simultaneously filing a copy of the Verified Application for Admission *Pro Hac Vice* with the South Carolina Supreme Court. Attached is the original Verified Application.

WHEREFORE, as the provisions set forth in SCACR 404 have been satisfied, Duke Energy Carolinas requests this motion be granted.

Dated this 28th day of January, 2008.

ROBINSON, MCFADDEN & MOORE, P.C.



Frank R. Ellerbe, III
Bonnie D. Shealy
Post Office Box 944
Columbia, SC 29202
(803) 779-8900

Counsel for Duke Energy Carolinas, LLC

RECEIVED

VERIFIED APPLICATION FOR ADMISSION *PRO HAC VICE*
IN THE STATE OF SOUTH CAROLINA

JAN 28 2008

S.C. SUPREME COURT

IN THE MATTER OF:

Docket No. 2007-440-E

Application of Duke Energy Carolinas, LLC
For Approval of Decision to Incur
Nuclear General Pre-Construction Costs

Public Service Commission of South Carolina

Mailing Address:

101 Executive Center Drive, Suite 100
Columbia, South Carolina 29210

Comes now, *Lawrence Bowen Somers*, applicant herein, and respectfully represents the following:

1. Applicant resides at 207 Sardis Grove Lane
Street Address
Matthews, Mecklenburg, NC, 28105, 704.849.0668.
City County State Zip Code Telephone
2. Applicant is an attorney and a member of the law firm (or practices law under the name of) *Duke Energy* with offices at *526 South Church Street, Charlotte, North Carolina 28202*; Telephone number: (704) 382-8142; Fax Number: (980) 373-9901.
3. Applicant has been retained personally or as a member of the above named law firm by *Duke Energy Carolinas, LLC* to provide legal representation in connection with the above case now pending before the above named regulatory agency of the State of South Carolina.
4. Since August of 1995, applicant has been, and presently is, a member in good standing of the bar of the State of North Carolina where applicant regularly practices law. Attached is a certificate of good standing.
5. Applicant has been admitted to practice before the following courts: (List all of the following courts applicant has been admitted to practice before: United States District Courts; United States Circuit Courts of Appeals; the Supreme Court of the United States; and courts of other states or the District of Columbia.)

Court:

Date Admitted:

All North Carolina State Courts

August 18, 1995

U.S. District for the Middle District of North Carolina

September 29, 1995

U.S. District Court for the Western District of North Carolina

March 8, 2000

U.S. District Court for the Eastern District of Michigan

November 30, 1998

Applicant is presently a member in good standing of the bars of those courts listed above, except as listed below: (List any court named in the preceding paragraph that applicant is no longer admitted to practice before.)

Not applicable.

6. Applicant presently is not subject to any suspension or disbarment proceedings, and has not been formally notified of any complaints pending before a disciplinary agency in this State or any other state, except as provided below (give particulars, e.g., jurisdiction, court, date):

Not applicable.

7. Applicant never has had any application for admission pro hac vice in this or any other jurisdiction denied or any *pro hac vice* admission revoked, except as provided below (give particulars, e.g., date, court, docket number, judge, circumstances; attach a copy of any order of denial or revocation):

Not applicable.

8. Applicant never has had any certificate or privilege to appear and practice before any administrative body suspended or revoked, except as provided below (give particulars, e.g., date, administrative body, date of suspension and reinstatement):

Not applicable.

9. Local counsel of record associated with applicant in this case is **Frank R. Ellerbe, III, and Bonnie D. Shealy**, of the **Robinson, McFadden & Moore, P.C.** law firm, which has offices at: **1901 Main Street, Suite 1200, Columbia, SC 29201**; telephone **(803) 779-8900**.

If applicable list all other firms/attorneys you are associated with in this matter:

Not applicable.

10. Applicant has previously filed an application to appear *pro hac vice* in the following South Carolina cases (give case name and status of litigation, date of application, local counsel of record in each case, and state whether application is pending or was granted).

SCDHEC v. Henkel Corporation, et al; C/A No. 6:00-2570-20; case status: dismissed-settled; application dated: September 27, 2000, Local counsel: R. Howard Grubbs of Womble Carlyle Sandridge & Rice, PLLC, pro hac vice application granted.

Robinson, et al. v. Colonial Pipeline Co., et al; C/A No. 8:00-0058-13; case status: dismissed-settled; application dated: February 16, 2000; Local counsel: Larry B. Estridge and Sarah E. Day of Womble, Carlyle, Sandridge & Rice, PLLC, pro hac vice application granted.

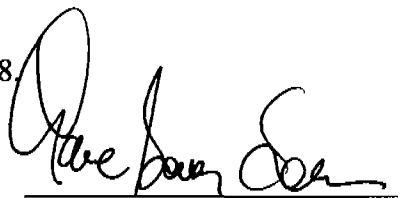
Cross Keys Against National Garbage Org. (CKANGO) et al., v. SCDHEC, et al.; 00-ALJ-07-0373-CC; case status: concluded July 19, 2001; Local counsel: Womble, Carlyle, Sandridge & Rice, PLLC; pro hac vice application granted but Applicant does not recall specific date of approval or local counsel affiliated with Womble, Carlyle, Sandridge & Rice, PLLC.

Application of Duke Energy Carolinas, LLC For Approval of Energy Efficiency Plan Including an Energy Efficiency Rider and Portfolio of Energy Efficiency Programs, Before the South Carolina Public Service Commission, Docket No. 2007-358-E; case status: Pending; application dated November 16, 2007; Local counsel: Frank R. Ellerbe, III and Bonnie D. Shealy of Robinson, McFadden & Moore, P.C.; pro hac vice application granted December 13, 2007, Order No. 2007-878.

11. Applicant agrees to comply with the applicable statutes, laws and rules of the State of South Carolina and will familiarize him/herself with and comply with the South Carolina Rules of Professional Conduct. Applicant consents to the jurisdiction of the South Carolina courts and Commission on Lawyer Conduct.

12. Applicant respectfully requests to be admitted to practice in the above named court for this case only.

Dated this 21st day of January, 2008.

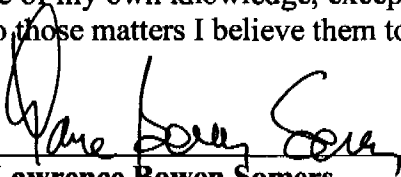


Lawrence Bowen Somers

VERIFICATION

STATE OF NORTH CAROLINA)
)
COUNTY OF Mecklenburg)

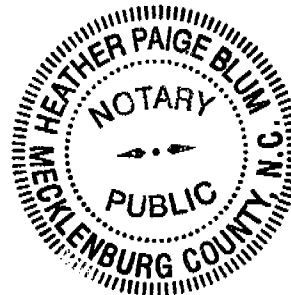
I, Lawrence Bowen Somers, do hereby swear or affirm under penalty of perjury that I am the applicant in the above styled matter; that I have read the foregoing application and know the contents thereof; and that the contents are true of my own knowledge, except as to those matters stated on information and belief, and that as to those matters I believe them to be true.



Lawrence Bowen Somers

SWORN to before me this
21st day of January, 2008

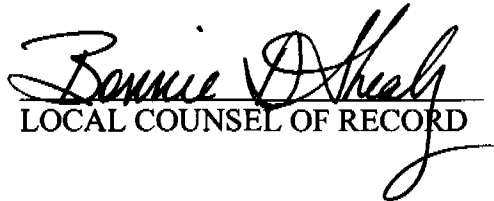
Heather Paige Blum L.S.
Notary Public for the State of North Carolina
My Commission Expires: 1/9/2013



LOCAL COUNSEL CONSENT:

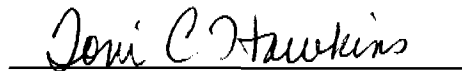
I hereby consent, as local counsel of record, to the association of applicant in this cause pursuant to Rules Governing Admission *Pro Hac Vice* to the South Carolina Bar.

DATED this 28th day of January, 2008.


LOCAL COUNSEL OF RECORD

CERTIFICATE OF SERVICE:

I hereby certify that I have served a copy of this application upon the South Carolina Supreme Court by causing same to be hand delivered to: South Carolina Supreme Court Office of Bar Admissions, 1231 Gervais Street, Columbia, SC 29201, accompanied by payment of the \$250.00 filing fee payable to the South Carolina Supreme Court on this 28th day of January, 2008.

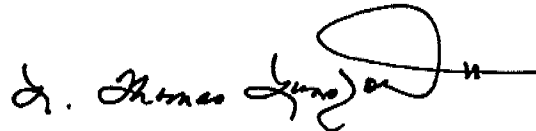


The North Carolina State Bar

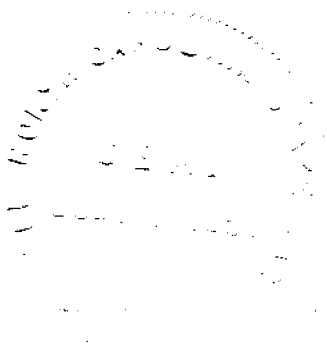
I, L. Thomas Lunsford, II, Secretary of the North Carolina State Bar, do hereby certify that Lawrence B. Somers (22329) is an active member of the North Carolina State Bar in good standing as of this date, and was duly licensed to practice law in this state on August 18, 1995.

I further certify that as of this date the above named attorney has not been subject to any public disciplinary action by the North Carolina State Bar.

Given over my hand and the Seal of the North Carolina State Bar, this 17th day of January, 2008.



Secretary of the North Carolina State Bar



**BEFORE
THE PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA
DOCKET NO. 2007-440-E**

In Re:

Application of Duke Energy)
Carolinas, LLC for Approval of)
Decision to Incur Nuclear)
Generation Pre-construction Costs)
_____)

CERTIFICATE OF SERVICE

This is to certify that I, Toni C. Hawkins, a paralegal with the law firm of Robinson, McFadden & Moore, P.C., have this day caused to be served upon the person(s) named below the **Motion for Admission Pro Hac Vice and Verified Applications of Lawrence Bowen Somers and Kodwo Ghartey-Tagoe** in the foregoing matter by placing a copy of same in the United States Mail, postage prepaid, in an envelope addressed as follows:

Nanette S. Edwards, Esquire
Office of Regulatory Staff
Post Office Box 11263
Columbia, SC 29211

C. Lessie Hammonds, Esquire
Office of Regulatory Staff
Post Office Box 11263
Columbia, SC 29211

Dated at Columbia, South Carolina this 28 th day of January, 2008.



Toni C. Hawkins